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C O N F I D E N T I A L SECTION 01 OF 02 ISLAMABAD 000292

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SUBJECT: PAKISTAN MINISTRY FOR HUMAN RIGHTS: "COSMETIC
CREATION" OR THE REAL DEAL

Classified By: Charge d'Affaires Peter W. Bodde, Reasons 1.4 (b), (d)

11. (C) Summary: On January 17, Polcouns met with Pakistan's first Human Rights Minister, Ansar Burney, to discuss the formation of the new federal ministry and its chances to survive beyond the caretaker government. Burney, a former G/TIP "hero," wants to create a National Human Rights Commission, appointed by the President and given carte blanche in entering places of potential abuse without warrants and in punishing suspected human rights violators. End summary.

12. (C) On January 17, Polcouns and Poloff met with human rights activist Ansar Burney, the first Human Rights Minister for Pakistan within the newly formed federal Ministry for Human Rights. Although Burney, who hails from Karachi and was declared an "Anti-Human Trafficking Hero" in 2005 by the Department, is only a caretaker minister until the new government is formed after the February elections, he represents what could be interpreted by some as a step forward for Pakistan in the realm of human rights. He discussed his ministry, his vision, and his successes and thanked the USG for the support he has received over the years for his work.

The Ministry of Human Rights

13. (C) Ansar Burney took the oath as caretaker minister on November 16, 2007, and prides himself of being in the forefront on a number of human rights issues while remaining politically independent. The Ministry was originally a division of the Ministry of Law, Justice, and Human Rights; however, when he named the caretaker government, President Musharraf asked Burney to take this newly formed position due in part to his twenty-nine years of human rights activism. He sees this appointment as an honor because he is able to assist all of the people of Pakistan, and not just the Pakistanis. (He continued to refer to his success in finding an Indian prisoner who had been locked away in a Sindh prison for over thirty years with very little documentation as to why he was still being held and under what charges.)

14. (C) As for the status of the ministry, Burney described a shell of a system. He reports that he has no funding and was not given a vehicle, unlike his fellow caretaker ministers, and he is also borrowing both an office and staff from his former parent ministry in order to do his job. He does take

comfort in the belief that his ministry is not just a "flash in the pan," but will receive the proper funding and support in due time. Additionally, Musharraf assured the ministry that his office would begin reviewing cases of death row inmates to determine if their crimes actually warrant that level of punishment and to ensure that all appeals are being processed through the courts in a timely fashion.

Vision for the Future

15. (C) Burney noted that he was to meet with the Prime Minister on the afternoon of January 17 in order to discuss what he hopes to be his biggest success during his short reign: the formation of the National Human Rights Commission.

Although the legislation on the commission has been stalled in the National Assembly for a number of terms, Burney hoped that he could jump-start the initiative again with backing from the President. In his Commission, he suggested having it comprised of eight members - four representing each province, two women, and two minority members - and all appointed by the President. Despite the presidential influence on the member selection, he stressed that every member must be politically independent, and they would serve on the commission for five-year terms. He also hoped that each member would be paid a "good salary" in order to prevent any possible corruption of the members by those trying to skirt the human rights system.

16. (C) The main focus of the Commission would be to monitor the human rights situation of Pakistan and to ensure that the country remains moving forward in improving its human rights record. Therefore, in an effort to ensure that politics and time do not allow a human rights violation to fall into

ISLAMABAD 00000292 002 OF 002

obscurity, Burney believes that the Commission should be granted the power to enter all police stations, detention facilities, factories, and mills without warrants or notice and to punish those deemed as violators of human rights under Pakistani law. These allowances will allow the Commission to properly do its job without government interference or influence, Burney's greatest fears.

Successes as an Activist

17. (C) Through his extensive human rights career, Burney was able to establish the Ansar Burney Welfare Trust in 1981 to examine the plight of the unlawfully detained Pakistani and alien citizens in Pakistani prisons. According to his trust, he assisted in the release of more than 500,000 prisoners from domestic and foreign prisons along with repatriating nearly 2,000 child camel jockeys in the Gulf States to their families in Pakistan since 2005. In 1990, he participated in the Department's International Visitor Program on "Human Rights and Law in the U.S." He was also the first recipient of the Pakistani National Civil Award, the "Sitara-e-Imtiaz" (Medal of Freedom) in the field of human rights in 2002.

Comment

18. (C) Ansar Burney recognizes that his position is temporary, but he is convinced that his ministry will continue into the future. However, given the lack of funding, staff, office space, and overall support of the ministry's mission, the Embassy must question the real motivation behind the seemingly spontaneous creation of the position and ministry. Critics call it an "empty shell" and a "cosmetic creation for the international community." Additionally, when speaking about statistics and other hard data concerning human rights, Burney continued to quote the findings of his trust rather than go to government sources. Despite the lack of resources and seemingly little tangible government support, we find it refreshing that this decorated

human rights activist is willing to "step up to the plate"
and to take on this difficult challenge. End Comment.

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